

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 3:21 CV 22
)	
Plaintiff,)	JUDGE JACK ZOUSHARY
)	
v.)	
)	
SHAFFER PHARMACY, INC.; THOMAS)	<u>TEMPORARY RESTRAINING ORDER</u>
TADSEN; and WILSON BUNTON,)	
)	<u>FILED TEMPORARILY UNDER SEAL</u>
Defendants.)	

This matter comes before the Court upon Plaintiff's *Ex Parte* Motion for a Temporary Restraining Order ("*Ex Parte* Motion"). Upon consideration of the *Ex Parte* Motion pursuant to Federal Rule of Civil Procedure 65(b), 21 U.S.C. §§ 843(f) and 882(a), the Memorandum of Law in Support, the Declarations in Support, and the Complaint, the Court finds that:

1. The United States has demonstrated that Defendants Shaffer Pharmacy, Inc., Thomas Tadsen, and Wilson Bunton ("Defendants") violated the Controlled Substances Act ("CSA"), 21 U.S.C. §§ 829, 841(a)(1) and 842(a)(1);
2. The United States has also demonstrated that advance notice to Defendants will result in immediate and irreparable injury, loss, or damage, namely: (a) harm to patients and the

community from Defendants continued dispensation of controlled substances and (b) the destruction of evidence related to Defendants CSA violations;

3. Injunctive relief to prevent further CSA violations by Defendants and to protect the public is authorized by 21 U.S.C. §§ 843(f) and 882(a).

4. Defendants' CSA violations will continue unless a temporary restraining order is issued.

5. The conditions for granting a temporary restraining order under Federal Rule of Civil Procedure 65(b) and 21 U.S.C. §§ 843(f) and 882(a) are therefore met;

Based on the foregoing, it is therefore

ORDERED AND ADJUDGED as follows:

A. The Motion is **GRANTED** without prior notice to Defendants.

B. Defendants are temporarily restrained from distributing any and all controlled substances as defined and identified in 21 U.S.C. §§ 802(6) and 812, and 21 C.F.R. §§ 1308.11-1308.15.

C. All controlled substances in the possession, custody, or control of Shaffer Pharmacy, Inc. shall be sealed immediately upon service of this Temporary Restraining Order. This seal shall continue pending further order of this Court.

D. Defendants are temporarily restrained from altering, deleting, destroying, mutilating, or transferring any record within its possession, custody, or control related to the dispensation of controlled substances.

Dated: January 7, 2021

By: s/ Jack Zouhary
District Court Judge